

constitutional doctrine in favor of resolving the cases before the Court.

(13) O'Connor put a very public face on the role of the Supreme Court, domestically and around the world. She became the Court's most prolific public speaker, traveling to all 50 States and to countless law schools, libraries, and public events to describe how the Court works and its role in our constitutional form of government. She traveled worldwide as an ambassador for the Rule of Law and the independence of judiciaries everywhere.

(14) After 24 years on the Supreme Court, O'Connor announced her retirement to care for her ailing husband, who had Alzheimer's disease. President George W. Bush nominated John Roberts, Jr., for the vacancy, but before Roberts was confirmed, Chief Justice Rehnquist passed away, creating a second vacancy. President Bush personally appealed to O'Connor to remain on the Court so he could nominate Roberts for the Chief Justice vacancy and have more time to make a second nomination to the Court. In yet another act of public service, O'Connor agreed to serve until Samuel Alito was confirmed to fill her seat on January 31, 2006.

(15) O'Connor began her retirement with 2 goals. One was to convince more States to adopt merit selection of judges for filling vacancies in State courts. The second was to educate the public on the importance of an independent judiciary. Her judicial independence work led to her awareness of a national civics education deficit.

(16) In 2009, O'Connor created iCivics.org to educate young Americans about civics and what it means to be a citizen. That endeavor grew to become the largest civics education platform in the country, with over 7,000,000 students annually enrolling in the programs. Its popularity was due to a captivating online, interactive gaming approach. The program was free to all and had no advertising. iCivics played a crucial role in Educating for American Democracy, a federally funded initiative to improve civics and history education, which released its reports in March 2021.

(b) **RUTH BADER GINSBURG.**—Congress finds the following:

(1) Ruth Bader Ginsburg was born in 1933 in Brooklyn, New York, and grew up in a low-income, working-class neighborhood.

(2) Ginsburg graduated from Cornell University in 1954, finishing first in her class. Following her graduation, Ginsburg enrolled at Harvard Law School in 1956, entering into a class of 552 men and only 8 other women.

(3) As a law student, Ginsburg became the first female member of the Harvard Law Review, a prestigious legal journal. She also cared for her husband, Martin Ginsburg, who had been diagnosed with cancer, and their young daughter. Ginsburg finished her legal education at Columbia Law School, where she graduated first in her class in 1959.

(4) Ginsburg taught at Rutgers University Law School from 1963 to 1972 and at Columbia Law School from 1972 to 1980, where she became the school's first female tenured professor.

(5) During the 1970s, Ginsburg served as the director of the Women's Rights Project of the American Civil Liberties Union. In this position, she led the fight against gender discrimination and successfully argued 6 landmark cases before the Supreme Court.

(6) Ginsburg won 5 cases on gender discrimination before the Supreme Court, including the case *Weinberger v. Wiesenfeld*, which involved a portion of the Social Security Act that favored women over men, because the Act granted certain benefits to widows, but not widowers.

(7) In 1980, President Jimmy Carter nominated Ginsburg to a seat on the United

States Court of Appeals for the District of Columbia Circuit.

(8) On June 22, 1993, President Bill Clinton nominated Ginsburg to be an Associate Justice of the Supreme Court, to fill the seat vacated by Associate Justice Byron White. On August 3, 1993, the Senate confirmed Ginsburg's nomination to the Supreme Court by a 96 to 3 vote.

(9) Ginsburg became the second female justice to serve on the Supreme Court, as well as the first Jewish female justice to serve on the Supreme Court.

(10) As a justice, Ginsburg presented a strong voice in favor of gender equality, voting rights, the rights of workers, and the separation of church and state.

(11) In 1996, Ginsburg wrote the Supreme Court's landmark decision in *United States v. Virginia*, which held that the State-supported Virginia Military Institute could not refuse to admit women.

(12) Ginsburg famously dissented in *Ledbetter v. Goodyear Tire & Rubber Co.*, where the plaintiff, a female worker being paid significantly less than males with her same qualifications, sued under title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.), but was denied relief under a statute of limitation issue. Ginsburg broke with tradition and wrote a high colloquial version of her dissent to read from the bench. In her dissent, she also called for Congress to undo this interpretation of the law.

(13) Ginsburg's impactful dissent in *Ledbetter v. Goodyear Tire & Rubber Co.* led to the successful passage of the Lilly Ledbetter Fair Pay Act of 2009 (Public Law 111-2; 123 Stat. 5), which was the first piece of legislation signed by President Barack Obama.

(14) Until the 2018 term, Ginsburg had not missed a day of oral arguments, not even when she was undergoing chemotherapy for pancreatic cancer, after surgery for colon cancer, or the day after her husband passed away in 2010.

(15) Ginsburg passed away on September 18, 2020.

## **SEC. 2. STATUES HONORING JUSTICE SANDRA DAY O'CONNOR AND JUSTICE RUTH BADER GINSBURG.**

### **(a) OBTAINING OF STATUES.—**

(1) **IN GENERAL.**—Not later than 2 years after the date of the enactment of this Act, in consultation with the Committee on House Administration of the House of Representatives and the Committee on Rules and Administration of the Senate, and under such terms and conditions as the Joint Committee of Congress on the Library considers appropriate, consistent with applicable law, the Joint Committee shall—

(A) enter into an agreement to obtain a statue honoring Associate Justice of the Supreme Court of the United States Sandra Day O'Connor; and

(B) enter into an agreement to obtain a statue honoring Associate Justice of the Supreme Court of the United States Ruth Bader Ginsburg.

(2) **CONSIDERATION.**—In selecting one or more artists to make the statues obtained under paragraph (1), the Joint Committee of Congress on the Library shall make the announcement available to, and consider, artists from a variety of backgrounds, including artists from underrepresented demographic groups.

### **(b) INSTALLATION.—**

(1) **IN GENERAL.**—The Architect of the Capitol, under the direction of the Joint Committee of Congress on the Library, shall permanently install each statue obtained under subsection (a) in a prominent location in the Capitol or on the Capitol Grounds, as described in section 5102 of title 40, United States Code.

(2) **PRIORITY FOR LOCATION.**—In determining the location for the permanent installation of each statue obtained under subsection (a), the Joint Committee of Congress on the Library shall give priority to identifying an appropriate location near the Old Supreme Court Chamber of the United States Capitol.

(c) **FUNDING.**—Amounts available in the Capitol Preservation Fund established under section 803 of the Arizona-Idaho Conservation Act of 1988 (2 U.S.C. 2083) may be used by the Joint Committee of Congress on the Library for payments for the costs of creating and installing the statues obtained under subsection (a), without regard to subsections (b) and (d) of such section, provided that not more than \$500,000 of such amounts may be used for each statue obtained under subsection (a).

## **MORNING BUSINESS**

### **ARMS SALES NOTIFICATION**

**Mr. MENENDEZ.** Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD-423.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

DEFENSE SECURITY  
COOPERATION AGENCY,  
Arlington, VA.

Hon. ROBERT MENENDEZ,  
Chairman, Committee on Foreign Relations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(5)(C) of the Arms Export Control Act (AECA), as amended, we are forwarding Transmittal No. 20-01. This notification relates to enhancements or upgrades from the level of sensitivity of technology or capability described in the Section 36(b)(1) AECA certification 16-58 of November 17, 2016.

Sincerely,

JEDIDIAH P. ROYAL,  
Acting Director.

Enclosures.

TRANSMITTAL NO. 20-01

Report of Enhancement or Upgrade of Sensitivity of Technology or Capability (Sec. 36(B)(5)(C). AECA)

(i) Prospective Purchaser: Government of Qatar.

(ii) Sec. 36(b)(1). AECA Transmittal No.: 16-58.

Date: November 17, 2016.

Military Department: Air Force.

Funding Source: National Funds.

(iii) Description: On November 17, 2016, Congress was notified by Congressional certification transmittal number 16-58 of the possible sale under Section 36(b)(1) of the

Arms Export Control Act of weapons, equipment, and support for: seventy-two (72) F-15QA aircraft, one hundred forty-four (144) F-110-GE-129 aircraft engines, eighty (80) Advanced Display Core Processor II (ADCP II), eighty (80) Digital Electronic Warfare Suites (DEWS), eighty (80) M61A "Vulcan" gun systems, eighty (80) Link-16 systems, one hundred sixty (160) Joint Helmet Mounted Cueing Systems (JHMCS), three hundred twelve (312) LAU-128 missile launchers, eighty (80) AN/APG-82(V)1 Active Electronically Scanned Array (AESA) radars, one hundred sixty (160) Embedded OPS/Inertial Navigation Systems (INS) (EGI), eighty (80) AN/AAQ-13 LANTIRN navigation pods w/containers, eighty (80) AN/AAQ-33 SNIPER Advanced Targeting Pods w/containers, eighty (80) AN/AA-42 Infrared Search and Track Systems (IRST), two hundred (200) AIM-9X Sidewinder missiles, seventy (70) AIM-9X Captive Air Training Missiles (CATM), eight (8) AIM-9X special training missiles, twenty (20) CATM AIM-9X missile guidance units, twenty (20) AIM-9X tactical guidance kits, two hundred fifty (250) AIM-120C7 Advanced Medium Range Air-to-Air Missiles (AMRAAM), five (5) AIM-120C7 spare guidance kits, one hundred (100) AGM-88 High Speed Anti-Radiation Missiles (HARM), forty (40) AGM-88 HARM CATMs, two hundred (200) AGM-154 Joint Standoff Weapons (JSOW), eighty (80) AGM-84L-1 Standoff Strike anti-ship missiles (Harpoon), ten (10) Harpoon exercise missiles, two hundred (200) AGM-6502 (Maverick) missiles, five hundred (500) GBU-38 Joint Direct Attack Munitions (JDAM) guidance kits, five hundred (500) GBU-31 (V1) JDAM guidance kits, two hundred fifty (250) GBU-54 Laser JDAM guidance kits, two hundred fifty (250) GBU-56 Laser JDAM guidance kits, five hundred (500) BLU-117B bombs, five hundred (500) BLU-117B bombs, six (6) MK-82 Inert bombs, and one thousand (1,000) FMU-152 Joint programmable fuzes. Also included were ACMI (P5) Training Pods, Reece Pods (DB-110), Conformal Fuel Tanks (CFTs), Identification Friend/Foe (IFF) system, AN/AVS-9 Night Vision Goggles (NVG), ARC-210 UHF/UVF radios, LAU-118(v)1/A, LAU-117-AV2A, associated ground support, training materials, mission critical resources and maintenance support equipment, the procurement for various weapon support and test equipment spares, technical publications, personnel training, simulators, and other training equipment, U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The estimated total cost was \$21.1 billion. Major Defense Equipment (MDE) constituted \$11.5 billion of this total.

On January 5, 2018, Congress was notified by Congressional certification transmittal number 0C-17 for the replacement of the previously notified two hundred (200) AGM-65H/K (Maverick) missiles (MDE), with two hundred (200) AGM-65G (Maverick) missiles (MDE); the inclusion of eighty (80) AAR-57A Common Missile Warning Systems (MDE), which were included in the total value of the DEWS systems previously notified, but not enumerated as MDE in the original notification; the replacement of five hundred (500) BLU-111B bombs, five hundred (500) BLU-117B bombs, and six (6) MK-82 Inert bombs (all MDE), with five hundred (500) BLU-111B or MK-82 (500lbs) bombs, five hundred (500) BLU-117B or MK-84 (2,000 lbs) bombs, and six (6) MK-82 Inert bombs (all MDE); and the inclusion of the following sub-components of JDAM and Laser JDAM guidance kits. The MDE sub-components were included in the total value previously notified, but not enumerated in the original notification:

a. Two hundred fifty (250) GBU-38 JDAMs with KMU-572 Air Foil Groups (AFG) (MDE);

b. Two hundred fifty (250) GBU-31 JDAMs with KMU-557 AFG (MDE);

c. Two hundred fifty (250) GBU-54 Laser JDAMs with KMU-572 AFG (MDE) and DSU-38 Laser Seeker; and

d. Two hundred fifty (250) GBU-56 Laser JDAMs with KMU-557 AFG (MDE) and DSU-40 Laser Seeker.

The replacement or upgrading of the equipment to MDE did not result in a change to the estimated cost of MDE of \$11.5 billion. The total estimated case value remained \$21.1 billion.

On November 28, 2018, Congress was notified by Congressional certification transmittal number 0L-18 reported the inclusion of additional training assets as MDE to support the previously notified AGM-65 (Maverick) missiles: five (5) TGM-65 Maverick-Missile Aircrew Trainer; one (1) TGM-65 Maverick-Missile Load Trainer; and one (1) TGM-65 Maverick-Missile Maintenance Trainer. The estimated value of the additional MDE items was \$3.5 million but its addition did not result in a net increase in the MDE value notified. The total estimated case value remained \$21.1 billion.

This transmittal reports the inclusion of up to Five Hundred (500) GBU-39/B Small Diameter Bombs Increment I (SDB I) (MDE); One (1) GBU-39 A/B Focused Lethality Munition (FLM) Practice Bomb (MDE); One (1) GBU-39 B/B Laser SDB Practice Bomb (MDE); Four (4) MS-110 Reconnaissance Pod Retrofit Kits (non-MDE); Two (2) Transportable Ground Station Upgrades (non-MDE); One (1) Fixed Ground Station Upgrade (non-MDE); and associated spares; systems/material; support; and services. These additional MDE and non-MDE items are valued at \$35 million in MDE and \$220 million in non-MDE. However, the total estimated case value will remain \$21.1 billion.

(iv) Significance: This notification is being provided to report the inclusion of MDE that were not enumerated at the time of the original notification. Inclusion of these items of MDE/non-MDE results in an increase in capability over what was originally notified. This equipment will support the requested weapon system, support the capabilities of Qatar's F-15QA fleet, and contribute to interoperability with the United States.

(v) Justification: This proposed sale will support the foreign policy and national security objectives of the United States. Qatar is an important force for political stability and economic progress in the Arabian Gulf region. The procurement of SDBs, MS-110 Retrofit Kits, and associated materiel/services will significantly improve Qatar's defense capabilities to meet current and future threats and deter regional aggression.

(vi) Sensitivity of Technology:

1. The GBU-39/B Small Diameter Bomb Increment I (SDB I) is a 250-pound weapon designed as a small, all weather, autonomous, conventional, air-to-ground, precision glide weapon able to strike fixed and stationary re-locatable targets from standoff range. The SDB I weapon system consists of the weapons, the BRU-61/A (4-place pneumatic carriage system), shipping and handling containers for a single weapon and the BRU-61/A either empty or loaded, and a weapon planning module. It has integrated diamond-back type wings that deploy after release, which increase the glide time and therefore maximum range. The SDB I Anti-Jam Global Positioning System aided Inertial Navigation System (AJGPS/INS) provides guidance to the coordinates of a stationary target. The payload/warhead is a very effective multipurpose penetrating and blast fragmentation warhead couples with a cockpit selectable electronic fuze. Its size and accuracy allow for an effective munition with less collateral damage. A proximity sensor provides height of burst capability.

2. An MS-110 Retrofit kit converts a DB-110 into an MS-110. The MS-110 is a NonProgram of Record tactical reconnaissance pod with long range, day/night, multispectral sensor technology. The multi-spectral sensor lets the end user see color and better distinguish subtle features that a DB-110's dual band imagery cannot. The pod can transmit imagery via a datalink to ground-stations for near-real time analysis and exploitation. The pod is designed for carriage on fighter jets. There are no advanced technologies in the system, subsystems, equipment or technical manuals that could be exploited by a technologically-advanced adversary.

The highest level of classification of defense articles, components, and services included in this potential sale is SECRET.

(vii) Date Report Delivered to Congress: December 8, 2021.

BUDGETARY REVISIONS

Mr. SANDERS. Mr. President, S. Con. Res. 14, the fiscal year 2022 congressional budget resolution, included a reserve fund in section 3003 to allow the chairman of the Senate Committee on the Budget to revise budget aggregates, committee allocations, and make adjustments to the pay-as-you-go ledger for legislation that would not increase the deficit over the period of fiscal years 2022 to 2031.

The Senate will soon consider S. 610, the Protecting Medicare and American Farmers from Sequential Cuts Act, as amended by the House, which meets the condition of being paid for and not increasing the deficit over the 10-year period. As such, I am filing a revision to the aggregates and committee allocations under the budget resolution, which were filed on September 23. Specifically, the Congressional Budget Office estimates that S. 610 will increase budget authority in 2022 by \$7.65 billion and outlays by \$7.144 billion. Over 5 years, budget authority and outlays will increase by \$7.079 billion, while there is no net increase to outlays over the 10-year period. I am increasing the aggregate amount of budget authority and outlays for 2022, as well as the allocation to the Committee on Finance and the Senate pay-as-you-go ledger, by those amounts.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

REVISIONS TO BUDGET AGGREGATES—BUDGET AUTHORITY AND OUTLAYS	
(Pursuant to Section 3003 of S. Con. Res. 14, the Current Resolution on the Budget for Fiscal Year 2022)	
(\$ in billions)	
	2022
Current Spending Aggregates:	
Budget Authority .....	4,137.815
Outlays .....	4,497.102
Adjustment:	
Budget Authority .....	7.650
Outlays .....	7.144
Revised Aggregates:	
Budget Authority .....	4,145.465
Outlays .....	4,504.246